

Zeitschrift: Swiss review : the magazine for the Swiss abroad
Herausgeber: Organisation of the Swiss Abroad
Band: 17 (1990)
Heft: 4

Rubrik: Official communications

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Do you know the difference?

To reduce the frequency of misunderstandings arising from confusion between the Service of the Swiss Abroad (Service), which is part of the Federal Department for Foreign Affairs (EDA) and the Secretariat for the Swiss Abroad (Secretariat), part of the Organisation of the Swiss Abroad, we take this opportunity to outline the functions and objectives of these bodies.

The Service of the Swiss Abroad (Service)

The service was founded in the 1950's and has ever since been the only Federal authority dealing basically with all matters affecting the more than 400 000 Swiss who live abroad. The overall mission of the service consists according to Article 45 (bis) of the Federal Constitution in the promotion of relations between Swiss living abroad, as well as between them and all Swiss resident in Switzerland. This mission is first and foremost to be accomplished by means of the following activities:

- *Advising the Federal Council in questions of policy concerning Swiss living abroad*

The corresponding requests and inquiries reach Parliament through the Service or can be directed to the Federal Council direct.

- *Drafting of pertinent texts for laws*

The Service's responsibility lies in the legal domains which concern primarily Swiss citizens living abroad. *Examples:* Voting by post for Swiss expatriates. In some cases, the Service will perform a consultative function. Voluntary payment of premiums for old age and invalidity insurance; Welfare for Swiss living abroad; social insurance treaties.

- *Safeguarding of the interests*

Organisation of the Swiss Abroad

But first of all, we must mention another institution, namely the Organisation of the Swiss Abroad (OSA), which represents the interests of Swiss citizens who live abroad, both vis-à-vis the governmental authorities in foreign countries and the Swiss

of Swiss living abroad vis-à-vis other Federal authorities

Examples: Introduction of an identity card for Swiss citizens living abroad; improvement of training facilities for young Swiss from abroad.

- *Informing the Swiss Abroad*

Expanding the quarterly official "Swiss Review", in the editorial committee of which the Service is represented; contact transmissions via Swiss Radio International

- *Cooperation with non-governmental organisations*

Examples: The most important partner is the OSA (= CSA + Secretariat), which as a foundation in the private sector is primarily concerned with safeguarding the interests of those expatriate Swiss who are organised in clubs and associations. Close contacts are also maintained with the federations to which such clubs and associations are affiliated, with the "Solidarity" Fund and similar bodies.

- *Subsidising of various institutions of the Swiss living abroad*

Through the Service as intermediary, the following institutions receive Federal subsidies: OSA; Youth Exchange programmes; Swiss aid societies; hospitals and homes in other countries.

Service of the Swiss Abroad

public resident here at home in the Confederation.

- In March 1989 a foundation was set up under the name of "Stiftung Auslandschweizer-Organisation" ("Foundation of the Organisation for Swiss Abroad"). Until then, that organi-

sation (OSA) had existed as an integral part of the "Neue Helvetische Gesellschaft" ("New Helvetic Society") referred to in this article as "NHS". The aims of the OSA are "to further the relations of Swiss living abroad among one another, and with their native country, as well as to safeguard their interests". A "Parlament der Fünften Schweiz" ("Parliament of the fifth Switzerland") was set up in the form of the "Auslandschweizererrat" ("Council of the Swiss Abroad") (CSA), which together with the Secretariat, as its staff organ and service undertaking, has to ensure that the objects stated in the by-laws of the Foundation are in fact implemented.

- The OSA had been set up at the annual meeting of the NHS in 1916, thereby realising one of the NHS's primary aims, namely that of making its ideas known to Swiss living abroad, bringing these Swiss expatriates closer to one another, and reinforcing their contacts with the home country. The OSA is supported by some 700 Swiss associations and clubs, etc., and by official Swiss institutions.

- The *Secretariat for Swiss Abroad* was set up in Berne in 1919 and is responsible for advising Swiss persons living abroad, and for representing their interests vis-à-vis Swiss authorities. The services of the Secretariat are in principle available to all Swiss living abroad and their organisations. Consequently the Secretariat cooperates with official committees and private organisations in connection with legislation affecting the expatriates, and factual issues which are of special interest to our co-citizens living outside the Federation. The Secretariat organises a *Congress for Swiss expatriates* once a year and tries to ensure that information about happenings in Switzerland is made available to them and to Swiss communities in other countries.

In the forefront of interest in the activities of the Secretariat is the publication of the «Schweizer Revue» and the preparation of its

30 or so regional editions. The magazine comes out four times a year and its contents are edited in collaboration with the above-mentioned Service of the Department of Foreign Affairs and is mailed, free of charge, to all Swiss nationals who are registered with Swiss embassies and consulates abroad.

The informative activity includes furthermore *Public Relations inside Switzerland*, collaboration with the broadcasting organisation *Swiss Radio International* and with the "Tages-Anzeiger" newspaper's overseas edition. Additionally, the work includes the publication of leaflets, brochures and pamphlets, and procurement of Swiss books, magazines and newspapers for expatriate Swiss, at specially favourable prices.

- The provision of assistance, advice and other services to Swiss living abroad, especially in *legal matters*, but also in connection with *welfare and cultural questions*. The Secretariat also organises *camps for young Swiss from abroad* who would like to go skiing or hiking, and keeps an eye on young Swiss from abroad who come here voluntarily to attend a course of basic military training.

The Secretariat houses furthermore the *Committee for Swiss Schools Abroad*, which deals with the 16 Swiss schools located in Europe, Latin America, Africa and the Far East.

- In 1989 the Training Work for young Swiss from abroad, which had previously been housed with the Pro Juventute organisation, was incorporated into the Secretariat under the name of "Association for the Training of Young Swiss from Abroad" (abbreviated to "AJAS", these being the initials of the full name in German). This move was aimed at a better concentration of resources, as well as rounding off the range of services provided by the Secretariat.

Secretariat of the Swiss Abroad



Revision of the Political Rights Law

Shall we soon see postal voting from abroad?

On 15th August 1990 the Federal Council passed the draft for the revision of the Federal Act on the Political Rights of the Swiss abroad and consequently the introduction of postal voting from abroad.

Since the Federal Act on the Political Rights of the Swiss abroad came into force in 1977 the Swiss abroad have been allowed to take part in federal elections and other ballots and sign federal initiatives and petitions for referendums but only if they are in Switzerland at the time. The Act provides for an exception to be made only in the case of officials and employees of the Confederation posted abroad, and their husbands and wives.

Content of the revision

The Act's new revised text, which still has to be accepted by Parliament, provides for all Swiss abroad who are registered with a Swiss embassy or consulate to be granted the right to vote from abroad by post and to be given the opportunity to sign initiatives and petitions for referendum. As before, of course, all Swiss abroad will also be eligible for election to the National Council, the Federal Council and the Federal Court.

On the other hand, it will only be possible to participate in elections to the Council of States if the law of the Canton concerned

also allows Swiss abroad to vote by post.

Application

The application procedure itself will differ very little from that laid down in the current Act. If Swiss abroad wish to exercise their political rights they will have to apply to the Swiss embassy or consulate with which they are registered and indicate a voting commune. However, for practical reasons and in order to ease the voting communes' financial and administrative burden, there is a new element stipulating that our citizens abroad must declare their continuing interest in their voting and electoral rights by confirming their application to the Swiss embassy or consulate every two years.

Voting commune

While one of the communes of origin or of previous domicile can still be chosen as the voting commune, the draft Act enables the Cantons to create a cantonal centre. This centre, instead of the voting communes, would be responsible for keeping a "Swiss Abroad Voting Register", for



In future, no need for the Swiss abroad to come back to Switzerland in order to vote. (Photo: Keystone)

sending out the voting material and for counting the ballot papers.

Despatch of voting material

The official voting material is to be posted direct to the voter's address abroad without the involvement of the Swiss embassy or consulate. Likewise, the Swiss abroad will send their ballot papers back to their voting communes direct and at their own expense.

Even if Switzerland does everything in its power to enable its voters abroad to vote in time and even if the voting communes have of necessity to send the voting material by airmail, there can be no guarantee that the foreign post will work efficiently. The Swiss abroad will therefore themselves have to take the risk that the material or the ballot papers may arrive late.

Dual nationals

One of the questions that arose during the revision work was whether the law should differentiate between dual nationals and those with only Swiss nationality. Both total and partial exclusion of dual nationals would

create two categories of citizen and thus lead to a violation of Article 4 of the Federal Constitution. Furthermore, the creation of various categories of citizen has in any case proved difficult to implement for technical reasons, since it is not possible to keep a complete check on whether registered Swiss have another nationality. Even if in the future it is to be left to dual nationals to decide where they want to exercise their political rights, it should nevertheless be pointed out that some countries penalize dual nationals for participating in their other homeland's ballots.

More information

To enable the Swiss abroad to form a broadly based opinion about federal elections and other ballots, the Federal Council also resolved, as a first step, in addition to sending out the official ballot commentaries, to increase the number of issues of the "Swiss Review", the quarterly journal for the Swiss abroad,

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Aid to the Gulf refugees

The Federal Council decided on 17th September 1990 to grant 10 million Swiss francs for the support and repatriation of the foreign workers who have left Iraq to seek refuge in neighbouring countries. Six million francs were committed for chartering an aircraft and its crew. For about a month this machine has been used to take refugees back to their countries of origin. On its first flight it also carried 134 tonnes of Swiss Red Cross material. Four million francs, on the other hand, were earmarked for the provision of water, tents, food etc. for the refugees. Within the framework of this humanitarian aid Switzerland will also pursue its commitment in Jordan with experts, material and money and will continue to watch developments.

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from four to eight, to develop further Swiss Radio International's political broadcasts and to improve the basic information of the Swiss abroad on Swiss institutions. As a second step consideration is to be given to other measures, too, such as

the further development of the regional stations for radio broadcasts abroad and of the satellite programmes as well as an improvement in reception of short-wave broadcasts.

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10th OAI Revision

A first step

The 10th revision of the Old-Age and Survivors' Insurance scheme is intended, among other things, to be a first step in the direction of complete equality for men and women and to introduce an improvement in social policy as regards insured persons with low contribution records.

In March 1990 the Federal Council sent to the Swiss Parliament the "Message" and draft law concerning the 10th revision of the OAI. However, the "Swiss Review" would like to draw your attention to the fact that the Parliament still has to take a decision on this matter and may make changes whose consequences are not known. We shall therefore give you further details after the final text has been submitted.

Equality in contribution liability

The draft suggests, on the one hand, that in general the non-earning spouse of an earner (man or woman) shall be exempted

from liability to contribute and, on the other hand, that the non-earning widow shall no longer be exempted from contributing.

Equality in the pension field

There is also to be equality in the field of single pensions. For married, divorced or widowed persons there is provision, on the one hand, for new calculation rules which give women's contribution bases the same importance as men's. On the other hand, the present benefit calculations for married women will also be available to men.

A central point of the revision work has been, among other things, the reform of the married

Cost of living allowances for OAI/DI pensioners

The Federal Council has decided to submit to Parliament an urgent Federal resolution in order to grant all OAI/DI pensioners a special cost of living allowance in Spring 1991. Recipients of supplementary benefits, too, are to get this allowance in full.

The Federal resolution will only be necessary, however, if the annual inflation rate is less than 8 per cent. Otherwise the Federal Council will itself decide to introduce the cost of living adjustment on the basis of the competence it already has to issue ordinances.

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couple's pension. Thus, in future married couples are to have a joint pension entitlement and the calculation of the pension is to be based on that spouse's contribution years which will result in a higher pension scale.

The Federal Council is not revising the widow's pension but is introducing a widower's pension in certain circumstances.

Drawing the pension early

The 10th OAI revision takes an important step towards flexibility of pensionable age by making it possible for men to draw their old-age pension three years early (maximum).

Social policy improvements

An improvement in the position of poorer pensioners has long been demanded by various circles. The Federal Council therefore takes the view that for such persons there must be provision for wholly targeted benefits, not based on the principle of "giving everyone a slice of the cake" (Giesskannenprinzip).

Position of Swiss women abroad in particular

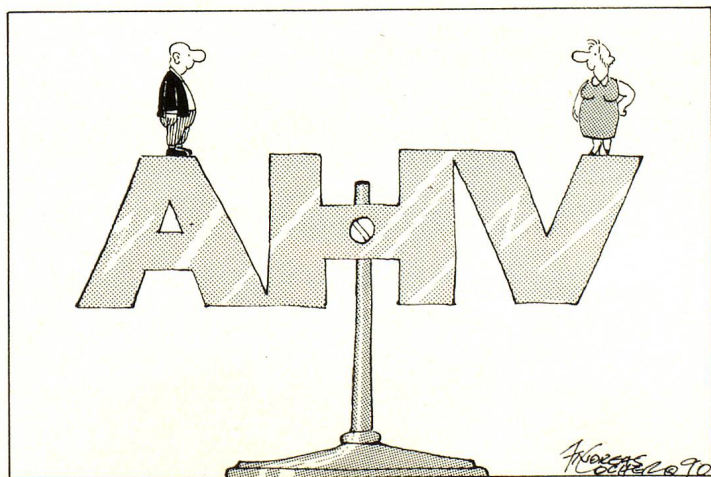
While the wife of a Swiss abroad has hitherto only been able to join the voluntary OAI/DI in her own right on very restrictive conditions, in future the married Swiss woman abroad is to have the same opportunity to join as her husband.

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Correction

The editor notes that, owing to some unfortunate wording in the article on the revision of the Swiss Law on Nationality which appeared in the official pages of the "Swiss Review" No. 3/90, some Swiss abroad got the impression that children born abroad would have to confirm their Swiss citizenship before reaching the age of 22. In fact, it is sufficient if the embassy or consulate has been notified once of the child's existence by the time it is 22. Therefore, confirmation is not necessary.

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Switzerland reacts

Iraq, by invading Kuwait, has according to the Federal Council violated a fundamental principle of international law. Switzerland has therefore decided autonomously to follow the Security Council's recommendations to the non-UN-members and take economic and financial measures against Iraq. The Federal Council is of the opinion that if Switzerland had not applied sanctions she would, in the eyes of the entire international community, have been siding with the state which had violated the law. Switzerland's policy of neutrality would have lost its credibility and would have been classed as weakness. Moreover, the adoption of economic sanctions is not in principle contrary to the law of neutrality. It must be judged from the point of view of Switzerland's policy of neutrality, whose implementation is left to her discretion.

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